

ORIGINAL

In the United States Court of Federal Claims

No. 17-1336

Filed: March 29, 2018

RICHARD AND CYNTHIA WATSON,

Plaintiffs, *pro se*,

v.

THE UNITED STATES,

Defendant.

FILED

MAR 29 2018

U.S. COURT OF
FEDERAL CLAIMS

ORDER OF DISMISSAL

On September 26, 2017, Plaintiffs filed a Complaint in the United States Court of Federal Claims. On November 21, 2017, the Government filed a Motion For Enlargement Of Time, requesting an additional forty-five days to respond to the September 26, 2017 Complaint. On November 27, 2017, the court issued an Order granting the Government's November 21, 2017 Motion For Enlargement Of Time.

On January 9, 2018, the Government filed a Motion To Dismiss the September 26, 2017 Complaint. Plaintiffs' Response to the January 9, 2018 Motion To Dismiss was due on February 2, 2018. Plaintiffs did not file a response or objection with the court on, or before, February 2, 2018.

On February 28, 2018, the court issued an Order To Show Cause, ordering Plaintiffs to show cause why the above-captioned case should not be dismissed for failure to prosecute. Plaintiffs' Response to the court's February 28, 2018 Order was due on March 14, 2018. Plaintiffs did not file a response to the court's February 28, 2018 Order To Show Cause on, or before, March 14, 2018.

On March 19, 2018, however, the court received Plaintiffs' Response To Show Cause, dated March 12, 2018. The March 12, 2018 Response To Show Cause states that "Plaintiff[s] intend to prosecute the above captioned case to the full extent of the [l]aw[,] . . . [t]here is sufficient evidence regarding these issues to validate this case[, and a]ll documents and witnesses are available[.]" The March 12, 2018 Response To Show Cause also restates a number of allegations from the September 26, 2017 Complaint.

Rule of the United States Court of Federal Claims (“RCFC”) 41(b) states that the court may dismiss an action, on its own motion, “[i]f the plaintiff fails to prosecute or to comply with [the RCFC] or a court order[.]” RCFC 41(b).

Pursuant to the February 28, 2018 Order To Show Cause, Plaintiffs were directed to show cause why the above-captioned case should not be dismissed by March 14, 2018. The March 12, 2018 Response To Show Cause did not respond or object to the Government’s January 9, 2018 Motion to Dismiss and failed to provide a reason for Plaintiffs’ failure to comply with the response deadline set forth in the RCFC and the court’s February 28, 2018 Show Cause Order. In light of Plaintiffs’ failure to prosecute the above-captioned case and comply with court-mandated deadlines, the court has determined to dismiss Plaintiffs’ September 26, 2017 Complaint for failure to prosecute.

Accordingly, the Clerk of Court is directed to close this case. All pending motions are dismissed as moot.

IT IS SO ORDERED.



SUSAN G. BRADEN
Chief Judge